

105TH CONGRESS  
2D SESSION

# H. R. 3273

To treat certain information technology occupations as if the Secretary of Labor had made a determination under section (a)(5)(A) of the Immigration and Nationality Act, to limit such determinations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 1998

Mr. MORAN of Virginia introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To treat certain information technology occupations as if the Secretary of Labor had made a determination under section (a)(5)(A) of the Immigration and Nationality Act, to limit such determinations, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TO TREAT CERTAIN INFORMATION TECH-**  
2 **NOLOGY OCCUPATIONS AS IF THE SEC-**  
3 **RETARY OF LABOR HAD MADE A DETERMINA-**  
4 **TION UNDER SECTION (a)(5)(A) OF THE IMMI-**  
5 **GRATION AND NATIONALITY ACT.**

6 (a) IN GENERAL.—For a period of three years, begin-  
7 ning six months after enactment of this Act, the occupa-  
8 tion “information technology professional” shall be treated  
9 as if the Secretary of Labor had made a determination  
10 under section (a)(5)(A) of the Immigration and National-  
11 ity Act that there are not sufficient workers who are able,  
12 willing, qualified and available, and that the employment  
13 of aliens in such occupations will not adversely affect the  
14 wages and working conditions of United States workers  
15 similarly employed.

16 (b) INFORMATION TECHNOLOGY PROFESSIONAL DE-  
17 FINED.—For purposes of this section, the term “informa-  
18 tion technology professional” means an individual skilled  
19 in the study, design, development, implementation, sup-  
20 port or management of computer based information sys-  
21 tems, such as a computer scientist, computer engineer,  
22 system analyst, or computer programmer.

1 **SEC. 2. LIMITING DETERMINATIONS BY THE SECRETARY**  
2 **OF LABOR.**

3 (a) IN GENERAL.—Section (a)(5)(A) of the Immigra-  
4 tion and Nationality Act is amended by adding the follow-  
5 ing new clause:

6 “(iv) LIMITATION.—No determination  
7 issued by the Secretary pursuant to this  
8 subparagraph shall be valid for more than  
9 three years from the date issued. Nothing  
10 in this clause shall be construed to limit  
11 the Secretary’s ability to reissue a deter-  
12 mination under this subparagraph.”.

13 (b) EFFECTIVE DATE.—The amendment made by  
14 subsection (a) shall take effect upon passage.

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